

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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PAINTERS AND ALLIED TRADES  
DISTRICT COUNCIL NO. 35  
Plaintiff,

C.A. No. 04-11527-DPW

SEAN BRUNETTI, d/b/a V.F. TAPING  
Defendant.

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**DECLARATION OF DAMAGES AND TAXABLE COSTS**

Ralph Harriman deposes and says as follows:

1. I am employed as the Business Manager for Painters and Allied Trades District Council No. 35 (hereinafter "District Council"), located at 25 Colgate Road, Roslindale, MA 02131.
2. The District Council and Defendant Sean Brunetti, d/b/a V.F. Taping, are parties to a collective bargaining agreement that is a contract within the meaning of 29 U.S.C. § 185(a) and that, among other things, provides for final and binding arbitration of disputes arising under the agreement before the Joint Trade Board.
3. The District Council invoked the grievance and arbitration provision of the applicable collective bargaining agreement and submitted to arbitration a dispute with the Defendant that had arisen under the collective bargaining agreement.
4. The parties' collective bargaining agreement provides that the Joint Trade Board is authorized to hear and adjudicate "all questions of interpretation of this

agreement and all grievances and complaints," and that the Joint Trade Board's decisions are binding as to the parties.

5. Following a hearing on the District Council's grievance, of which Sean Brunetti, d/b/a V.F. Taping, was given notice, the Joint Trade Board duly issued an award on February 6, 2004 sustaining the District Council's grievance against Sean Brunetti, d/b/a V.F. Taping, and awarding the District Council and its affiliated funds the amount of \$7,269.89. The payment was to be made within ten (10) days of receipt the award.
6. Defendant Sean Brunetti, d/b/a V.F. Taping, received a copy of the Joint Trade Board's Award via certified mail on February 7, 2004.
7. Plaintiff District Council's reasonable attorney fees and costs are \$983.50.
8. Interest owed at 1.5% above prime up to \$500.00 since February 2004, is \$28.10, and 2% above prime for any amount over \$500.00 since February 2004, is \$409.00, for a total of \$437.10.
9. Based upon the foregoing, Defendant Sean Brunetti, d/b/a V.F. Taping owes the Plaintiff \$8,690.49.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 10th DAY OF  
JANUARY, 2005.

  
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Ralph Harriman